

Metropolitan Police Academy



13.5 Taxis

Approved 4/26/2023

13.5.1 Define passenger, ridesharing apps, private vehicle for hire, taxicabs and pedicab

A **passenger** is “a person who is traveling from one place to another in a car, bus, train, ship, airplane, etc., and who is not driving or working on it” according to Merriam Webster’s Dictionary. As an officer, many passengers with whom you interact will most likely ride within a taxicab, a private passenger vehicle where a ride was arranged utilizing a ride sharing application, or pedicab.

A **public vehicle for hire** is a vehicle used by the public to transport passengers or parcels after taxicab dispatch or being flagged down on a public street.

A **private vehicle for hire** operates within a network that provides transportation to passengers who are connected to drivers via digital dispatch or a ride-sharing app. Private vehicles are owned and operated by individuals and temporarily provide service.

A **ridesharing application (app)** is a self-contained program or piece of computer software that a person downloads onto a smartphone to connect with a driver for hire using a digital dispatch. Uber and Lyft are some of the most well-known ridesharing applications.

A **taxicab** is a public vehicle for hire that has the seating capacity of eight (8) or fewer passengers, excluding the driver, which can be hired by dispatch from a taxi service, digital dispatch, or hailed on the street.

A **pedicab** is “a bicycle with two rear wheels and one front wheel that is designed to be ridden by one or more persons that is capable of transporting passengers on seats attached to the bicycle, and that is used for transporting passengers for hire.” (18 DCMR § 9901).

13.5.2 Identify the role of the DC Taxicab Commission

You can request the assistance of a **hack inspector** who is employed by the DC Department of For-Hire Vehicles (DFHV) when encountering situations involving vehicles for hire. A hack inspector is an individual who works on behalf of the DFHV. He or she has a deep knowledge of the regulations and laws by which taxi drivers are to abide and can assist in situations when you have a taxi driver whom you believe has violated one or more taxicab regulations. Hack inspectors can be an invaluable asset and are raised to assist you on the City-Wide channel on your police radio.

The DFHV is “a subordinate agency within the executive branch of the District government with exclusive authority for intrastate regulation of the public-vehicle-for-hire industry.” It is responsible for developing and constantly working to improve the vehicle for hire industry within Washington, DC, and its oversight includes not just taxis, but their companies, fleets and associations to include limousines, and sedans and their companies and fleets.

The DFHV is also responsible for:

- Establishing reasonable rates for taxicab service for the transportation of passengers and their property within the District.

- Establishing the criteria, standards, and requirements for the licensing for taxi drivers, owners, operators, companies, associations, and fleets, as well as setting reasonable license fees.
- Establishing standards, conditions, and requirements for taxi service.
- Establishing standards for driver and passenger safety.

13.5.3 Outline taxicab operation regulations in the District of Columbia

There are laws set in place that regulate the operation of all taxis and public vehicles for hire within the District of Columbia, and all taxi drivers must abide by and adhere to these laws and regulations or risk monetary citations. If you encounter a taxi driver who is operating outside of the prescribed regulations, then you can issue the prescribed Notifications of Infraction (NOI) to the driver. NOIs can be issued alone or in conjunction with other criminal infractions. Taxi drivers must follow the law with regards to the measures set in place that govern who can operate a motor vehicle within the District of Columbia. They must also adhere to additional regulations because they are providing a service that is regulated by the DFHV.

In order to operate a taxi within the District of Columbia, drivers must have a valid DC driver's license if they live within the District, or a valid driver's license for the jurisdiction in which they reside. This means that the license cannot be suspended or revoked. In addition to having a driver's license from their respective jurisdiction, drivers must also have a valid identification card obtained from the DC DFHV. If a driver is unable to present the identification card, then you may issue an NOI for:

- **Operating without an Identification Card (T171) - \$500**

In a former lesson (**8.4 License, Registration and Proof of Insurance**), we discussed how it is unlawful for an individual to use the registration for one vehicle for a different vehicle. Just as this is against the law, there is a similar law that regulates who may use a taxicab identification card. A person can only use the identification card issued to him or her by the District of Columbia DFHV, and the person cannot allow another person to use the identification card in order to operate a taxi. In addition, taxi drivers must have specific insurance that is accepted by the DC DFHV. Insurance that you may be familiar with (e.g., Nationwide, State Farm, Geico, Progressive, etc.) will not suffice for taxicab insurance.

If you were to come into contact with an individual operating a taxicab who is using an identification card that does not belong to him or her, this is considered to be prima facie evidence that he or she is doing so with the consent of the actual owner of the identification card. The owner may be an individual or a taxicab company and, either way, is subject to the fine and penalties for this NOI:

- **Permitting Operation without an Identification Card (T165) - \$500**

Check for Understanding: You have been dispatched to the scene of 10-50 involving a taxicab. When you arrive on the scene, you see the taxi and a black Mazda pulled to the side of the road with their hazard lights flashing. You mark on scene and approach the drivers. Both attempt to speak to you simultaneously and after ascertaining that neither party has an injury or needs medical assistance, you inform the driver of the Mazda to wait at the rear of his vehicle and that you will get his statement shortly.

You can see that both vehicles sport minor property damage, and request that the taxi driver give you her license, registration, proof of insurance, and identification card (taxi). The driver complies and gives you the requested documents, saying as she does so that the driver of the Mazda slammed on his brakes and that is why she struck him.

You inform the taxi driver to remain with her vehicle while you speak with the driver of the Mazda. You request the man's license, registration, and proof of insurance. He hands over his registration and insurance but admits that he doesn't have his license on his person. You ask his name and date of birth, writing it in your notebook, then inform the man to remain outside his vehicle as you begin returning to your scout car.

As you are passing the taxi driver, she calls out that she had a passenger who exited her vehicle after the crash without paying his \$47 fare.

What do you do next? What offense(s) has been committed and by whom?

You need to get the description of the individual who left the scene without paying his fare and broadcast it to your fellow officers, as the person who left without paying has committed Theft II of Services.

You should then run the taxi driver through WALES utilizing the tablet within your vehicle or the assistance of the dispatcher to ensure she does not have any active warrants and that her driver's license has not been suspended or revoked. If the taxi driver does not have an active warrant and the license is valid, you should issue her a NOI for 'Failing to Maintain a Safe Distance so as to Avoid Collision.

Next you need to run the Mazda driver through WALES utilizing your tablet or dispatcher assistance. If he has a valid driver's license, then you should issue him an NOI for Failure to Display Permit Upon Demand. If, however, the license shows that it has been suspended or revoked, you must go over the air, if you have not already, and request the dispatcher run the individual through WALES. If the dispatcher informs you that the individual is 10-30-T, because his DC license has been suspended, request an additional unit as you will need to effect an arrest for Operating after Suspension. You must also complete a 10-50 (Motor Vehicle Accident Report).

When a taxi driver is actively operating his or her vehicle, picking up and dropping off passengers, or looking for a new passenger, the vehicle identification card issued by the DFHV must be displayed in a DFHV-approved holder and secured to the right sun visor of the vehicle. The vehicle ID also must be presented upon demand to either you, when acting in your official capacity, or a hack inspector employed by the DFHV to assist in regulating the taxi industry. If the driver does not have the vehicle identification displayed in the appropriate manner, then he or she is to be issued an NOI for:

- **Failure to Display for Passenger(s) View (T604) - \$100**

Taxi drivers who move beyond twenty-five (25) feet of their taxicab are legally required to remove their identification card from their vehicle. If they do not do this, then they are to be issued an NOI for:

- **Failure to Remove (T678) - \$50**

Every taxi driver operating a taxi within the District of Columbia must keep a **manifest**. The manifest lists each pick-up and drop-off location for all passengers who used the taxi and keeps track of all the trips the driver made during that shift.

The DFHV issues a pre-approved manifest form that must be filled out using ink. It is supposed to contain:

- The date, operator's (driver's) name and identification card number, name of the taxicab company for which he or she works, vehicle number, and license plate number.
- The time and mileage at the beginning of the shift.
- The time and mileage of each trip.
- The time and place of origin of each trip.
- The time and place of the destination of each trip.
- The number of passengers per trip.
- The fare charged per trip.
- The time and mileage at the end of the shift.

If they fill out the manifest on a form that is not approved by the DFHV or they simply do not have a manifest within their possession, they can also be issued an NOI for:

- **Failing to Have Approved Form in Possession (T680) - \$100**

Just as you are required by law to maintain your police notebook for a period of three (3) years, a taxi driver is also held to a similar standard regarding his or her manifests. The manifest, completed in its entirety, must be kept on file for a minimum of two (2) years, and must be relinquished to the DFHV or any authorized agency within the District of Columbia upon demand. A manifest is also not allowed to be altered in any way, much in the same way as you cannot make alterations within your police notebook. If a manifest is found to be altered, then an NOI is issued for:

- **Altering Manifest (T140) - \$100**

Taxi drivers are not allowed, by law, to operate a taxicab for the purpose of carrying passengers or parcels of any kind for more than twelve (12) hours in a twenty-four-hour period without at least eight (8) hours of continuous rest between shifts. In addition, a taxicab cannot be used more than sixteen (16) hours in a twenty-four-hour period. On top of not being allowed to operate for extended periods of time without rest, there are additional regulations by which the drivers of public vehicles for hire must abide. They cannot operate a taxi if:

- They are not clean. This includes their clothing as well as their body.
- They are not fully clothed or they are dressed in such a way that a passenger or other member of the public would find offense in their dress

- They are wearing shorts, t-shirts, sweatpants, sweatshirts, sweat suits, or sandals.

Any driver that violates the above listed provisions can be issued an NOI for:

- **Unkempt or Improperly Dressed Operator (T230) - \$25**

Drivers are not only responsible for arriving at work clean and dressed so as to be in compliance with the regulations set forth by the DFHV, they must also keep the entirety of their taxis cleaned, both inside and out, to include the trunk, and the taxis must remain in a sanitary condition. If a driver fails to do so, then he or she is subject to an NOI for:

- **Dirty Taxicab (T676) - \$100**

Part of maintaining a sanitary and clean taxicab is the government restriction on smoking within the taxi. There is no smoking allowed within any public vehicle for hire, and each taxi must display a “No Smoking” sign or risk getting an NOI for failing to do so for:

- **Failure to Display No Smoking Sign (T914) - \$250**

Taxicab drivers are not allowed to discriminate against an individual by refusing to transport him or her based upon the person’s:

- Color
- Race
- Religion
- National Origin
- Sex
- Age
- Marital Status
- Personal Appearance
- Sexual Orientation
- Family Responsibility
- Political Affiliation
- Disability
- Source of Income
- Place of Business
- Place of Residence

Any driver who engages in discriminatory behavior is subject to an NOI for:

- **Refusal to Haul Passenger (T686) - \$500**

In an effort to curb potential discriminatory behavior, taxi drivers are not allowed to refuse to transport an individual while working their shifts, unless the driver:

- is previously engaged.

- Unable or forbidden from doing so by **DCMR Title 31 (Taxicabs and Public Vehicles for Hire)**.
- has reason to believe the individual attempting to obtain a ride is engaged in a violation of the law.
- has reason to fear injury to his or her person, property, or taxicab.

The roadways of the District are oftentimes congested, and the congestion can be made worse by double-parking or other violations of traffic laws. As such, taxicab operators shall not stop to load or unload passengers on the traffic side of the street while occupying any intersection or crosswalk or in such a manner as to unduly interfere with the orderly flow of traffic. All taxicab drivers shall pull as close to the curb or edge of the roadway as possible to take on or discharge passengers. If they fail to do so, they are subject to a NOI for:

- **Curb – Failure to pull to curb to pick up or discharge passenger(s) (T - 684) - \$25**

No taxicab operator shall stop or park a taxicab adjacent to any curb except as follows:

- While actually taking on or discharging passengers.
- When occupying a designated public vehicle stand for taxicabs.
- When answering a call or delivering a parcel.
- When not holding his or her vehicle for hire, in which event the identification card shall be removed from the taxicab and the driver shall be away from the taxicab on business of his or her own.

Taxi drivers are required, when a passenger or individual receiving a package that was delivered by the driver, to give a receipt that has much of the same information that is covered on the manifest. The receipt must contain the:

- Driver's name
- Identification card number
- Vehicle tag number
- Time, date, and place of origin
- Time, date, and place of destination
- Amount of the fare

If the driver refuses to issue the passenger or requesting person a receipt, then he or she can be issued an NOI for:

- **Failure to Give a Receipt Upon Request (T235) - \$150**

The District of Columbia DFHV regulates and sets the amount that taxi drivers are allowed to charge for the transportation of passengers or packages. Despite this, there will be moments when you are dispatched to a scene of a customer dispute involving a taxicab. When you arrive on scene and during your preliminary investigation you should attempt to determine the root cause of the dispute so that you

are able to find a solution that will suit both involved parties. If the fault appears to lie with the taxi driver for charging the wrong fare, you should issue him or her an NOI for:

- **Failure to Charge Proper Fare (T693) - \$150**

You can also request the assistance of a hack inspector if you suspect the taxi driver of charging the incorrect fare. A hack inspector works for the DFHV and assists in the regulation of taxicabs that operate within the District of Columbia. Operating a taxicab with a taximeter that is dysfunctional or does not display the fare rate may lead to the issuance of an NOI. There are varying NOIs that can be issued for failing to maintain a taximeter:

- **Failure to Display Rate Sticker Sign (T231) - \$150**
- **Tampering with Meter or Seals (T236) - \$500 and suspension or revocation of hacker's license or the license to drive a public vehicle for hire**
- **Operating without Meter (T237) - \$500 and suspension or revocation of hacker's license or the license to drive a public vehicle for hire**
- **Operating with Non-functional Meter (T238) - \$500**

If the passenger is at fault or you are unable to determine fault, you should advise the passenger to pay the fare and follow-up with the DFHV if he or she wishes to file a complaint. The information needed to file a complaint against a particular driver will be contained on the receipt he or she is given after paying the fare. The steps he or she needs to take in order to file a complaint is, by law, to be posted in a position that is visible to all passengers of the taxicab along with the telephone number and address of the DFHV.

If the passenger refuses to pay the fare, he or she should be issued an NOI for:

- **Refusing to Pay Fare (T701) - \$25.** The passenger could also be subject to arrest for Theft of Services.

Throughout the city there are taxicab stands where taxi drivers can wait, but only if they are on shift and waiting for passengers. A passenger has the discretion which taxicab he or she chooses to employ. If a driver arrives at a taxi stand and finds it full, that driver cannot wait for another driver to leave as it will impede the flow of traffic. Those drivers that are able to park their vehicles and wait for passengers cannot be more than five (5) feet away from their vehicle at all times while it occupies a space at a taxicab stand.

Taxi drivers are not allowed to use the taxi stands if there are signs prohibiting the parking, standing, or stopping on the street during District rush hours or during any snow or other declared emergency.

In the District there is a mandatory use of seatbelt law. Taxicabs must post in a position that is visible to all passengers within the vehicle a sign that states: "District law requires mandatory use of seatbelts. There is a \$50 penalty for noncompliance." The NOI for failure to wear a seatbelt is:

- **Failure to Wear or Properly Wear (T713) - \$50**

If the driver of the taxi has the sign visibly posted, then he or she is not responsible for passengers who refuse to comply with the district law; the passenger, not the driver, is the one held responsible and made to pay the \$50 NOI. If, however, the driver of the taxi fails to post the sign informing passengers of the law, then he or she is to be issued an NOI for:

- **Failure to Have Use of Seatbelts Signage (T144) - \$100.00**

13.5.4 Issue a Notice of Infraction (NOI) for taxicab violations

(Independent Practice)

13.5.5 Outline the current legal status and regulations regarding ridesharing applications

The utilization of ridesharing applications (apps) has grown over the years, and at the helm of this growth are companies including Lyft, Uber, and many others. The vehicles used to pick up passengers are private passenger vehicles that are occasionally hired and operated in a manner similar to that of a taxicab.

Drivers who work for a company that uses digital dispatching must adhere to all of the regulations and laws setting forth the upkeep and maintenance of vehicles and driver's licenses as established through the DFHV regulations. The regulations provide guidelines for the cleanliness of vehicles and their operators. In addition, vehicles must be insured and registered, and driver's licenses must be valid and not suspended or revoked. Regardless of being a driver for a ridesharing app company, the laws established by the District of Columbia to govern the use of public roads still apply.

When the driver of a private vehicle for hire is accepting digital dispatches to pick up passengers, he or she must:

- At all times display the signage for the company for which he or she works when logged into the digital dispatch system.
- Ensure the signage of the company is capable of being read during daylight from at least fifty (50) feet away and is illuminated so as to be visible at night.
- Accept only rides that are booked through the private company's digital dispatch system.
- Not solicit or accept rides from passengers who hail him or her on the street.
- Have a vehicle that has undergone a safety inspection during the prior ninety (90) days or is otherwise current on all state safety inspections for the jurisdiction in which the vehicle is registered.
- Possess a valid driver's license issued by the District of Columbia, the State of Maryland, or the Commonwealth of Virginia.

- Possess personal motor vehicle insurance for the private vehicle for hire being used when logged into the digital dispatch system.
- Be at least twenty-one (21) years of age.

As the private vehicle for hire industry is still fairly young, there may be ways in which the regulations change or are updated as more information about this fairly new service come to light. As such, it will be helpful for you to not only check your departmental e-mail as mandated by general order, but also to read available teletypes as they often contain new information about enforcement relating to digital dispatching companies and drivers.

Summary

Traffic enforcement does not stop when attending to traffic crashes or violations committed by those who utilize private passenger vehicles; traffic enforcement extends to both taxicabs and the private vehicle for hire industry. Your understanding of the laws and regulations that govern taxicabs and their drivers helps to ensure that taxis are not only operated in a safe manner, but also that they adhere to the regulations put in place by the Counsel of the District and the DC Department of For-Hire Vehicles. You have also learned the laws that govern the private vehicle for hire industry, the manner in which they are allowed to operate, and the restrictions that govern their operation. Knowing these regulations and laws will empower you to confidently approach scenes that involve taxi cabs, disputes between drivers and passengers, and the private vehicle for hire industry.

REFERENCES

- | | | |
|---------------|---|------------|
| DCMR 31 | Taxicabs and Public Vehicles for Hire | |
| DC Act 20-489 | Vehicle for Hire Innovation Amendment Act of 2014 | 11/18/2014 |
| | DC Official Code | |
| | Merriam Webster's Dictionary | |